

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ABU DHABI COMMERCIAL BANK, *et al.*,
Together and On Behalf of All Others Similarly
Situating

Plaintiffs,

v.

MORGAN STANLEY & CO. INC., *et al.*,

Defendants.

Civil Action No. 08-cv-7508 (SAS)

(ECF Case)

**DEFENDANTS STANDARD & POOR'S RATING SERVICES AND THE MCGRAW-
HILL COMPANIES INC.'S NOTICE OF MOTION TO DISMISS THE NINTH
AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the previously submitted Joint Supplemental Memorandum of Law (January 10, 2011) and the appendices annexed thereto, and all the pleadings and proceedings herein, including The Joint Memorandum of Law in support of the Rating Agency Defendants' motion to dismiss the First Amended Complaint (May 18, 2009) and their Joint Reply Memorandum (June 29, 2009), defendants Standard & Poor's Rating Services and The McGraw-Hill Companies, Inc., by and through their undersigned attorneys, hereby move this Court, consistent with the Court's December 27, 2011 Order, before the Honorable Shira A. Scheindlin, United States District Judge at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 15C, New York, New York 10007, for an Order dismissing plaintiffs' claims of negligence, negligent misrepresentation, breach of fiduciary duty, and aiding and abetting with respect to those claims in the above-captioned action and granting such relief as the Court deems proper and just. Defendants Standard & Poor's Rating Services and The McGraw-Hill Companies, Inc. respectfully request oral argument on this motion.

Dated: January 27, 2012
New York, New York

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